

Application No. 09/699,650  
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Claims 1-29 are pending in the present application, of which claims 1, 19 and 26 are independent.

The Office Action objects to the use of the trademarks DIRECTV™ and PENTIUM™ in the specification. In response, Applicants have amended the specification as provided above, deleting the use of these two trademarks.

The Office Action objects to claim 26, because of the misspelled word "cashes". In response, Applicants have amended claim 26 to correct this misspelling.

Applicants also have amended claim 10 for purposes of clarity, and claim 19 to correct a punctuation error, and neither of which being amended for any statutory patentability issues.

Claims 1-5, 10-21 and 24-25 stand rejected under 35 U.S.C. § 102(a/e) as being anticipated by U.S. Patent No. 5,933,500 to Blatter et al., claims 6-9 and 22-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blatter in view of U.S. Patent No. 6,233,389 to Bartone et al., and claims 26-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Blatter in view of U.S. Patent No. 5,850,218 to LaJoie et al.

With regard to independent claims 1, 19 and 26, Applicants respectfully traverse the rejection under § 102 in view of Blatter as follows. Independent claims 1, 19 and 26 each recites that the searching and caching functions performed with respect to a PPV event are performed during a power-down mode (i.e., claim 1 recites: "wherein the apparatus searches and caches data packets of said at least one PPV event when in a power-down mode"; claim 19 recites: "wherein said at least one PPV event is searched for, and its corresponding data packets and cached, when the DVR system is in a power-down mode"; and claim 26 recites: "wherein the searching means searches and said storing means caches data packets of said at least one PPV event when the STB is in a power-down mode"). In this manner, the receiver device of the present invention searches and stores data packets of a desired PPV event while in a power-down mode (when the particular PPV event is scheduled) for later playback at the user's discretion.

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Blatter, on the other hand, discloses a conditional access mechanism for a video receiver system, which enables selectable storage of encrypted data in either an encrypted or unencrypted format. Moreover, Blatter lacks any disclosure of searching and storage of data packets during a power-down mode for later play-back at the user's selection. While the present Office Action asserts that Figure 2, Step 210 of Blatter discloses such searching and caching functions as being performed during a power-down mode, figure 2 and the corresponding text of the description actually disclose such functionality as occurring during the power-up mode of the video receiver system of Blatter. Looking specifically at Figure 2 and the corresponding description beginning at col. 8, line 38, the description expressly discloses the function at step 205 (Fig. 2) as occurring "at system power-up" (See Blatter, col. 8, lines 38-40). Thereafter, the description fails to disclose (or even suggest or imply) that the video receiver enters a power-down mode for the next step 210. Similarly, the remainder of the description lacks any disclosure or implication that the video receiver performs any of the functions illustrated in Figure 2, or any of the other figures, in a power-down mode. In fact, the specification of Blatter entirely lacks the disclosure or implication that the receiver performs any functions whatsoever in a power-down mode. Accordingly, because Blatter fails to disclose each and every limitation of either of independent claims 1, 19 or 26, Applicants submit that Blatter fails to anticipate these claims.

Moreover, because the remainder of the claims 2-18, 20-25 and 27-29 depend from claims 1, 19 and 26, respectively, the rejection of each of these claims fails based on Blatter's failure to anticipate the independent claims 1, 19 and 26 (as specified above).

Applicants, therefore, respectfully submit that all pending claims are in condition for allowance and notice to this effect is respectfully requested.

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If, however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Applicants' respresentative Craig Plastrik, at 301-601-7252, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,



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